

II. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 15, 16, and 20-26 are pending in the application. Claims 15 and 23 are independent. Claims 1-14 and 17-19 have been cancelled. Each of Claims 15 and 16 have been amended herein. Please note that these claims have been amended for clarity with respect to the specification and drawings, and not for any reason related to patentability. Support for the amendments and the new claims may be found at least at page 7, line 26 through page 8, line 21 of the specification. Therefore, no new matter has been added.

Claims 15, 16, 20, and 22 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,390,366 to Kasugai. Claims 17-19 and 21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kasugai. These rejections are hereby traversed.

The cancellation of Claims 17-19 moots their rejections under 35 U.S.C. §103(a).

Independent Claim 15 has been amended to recite that a first subscriber station, when activated within the communication system, is allocated a dedicated portion of the user control channel, but when a dedicated channel is established between the first subscriber station and the base station, then the dedicated portion of the user control channel is de-allocated from the first subscriber station until the dedicated channel is de-allocated from the first subscriber station. Newly added independent Claim 23 also recites a similar feature.

By contrast, the system disclosed in Kasugai includes a single control channel in which slots in frames are assigned to different base stations (see, e.g., column 2, lines 33-41). Mobile stations (i.e., subscriber stations) in the system, which includes multiple base stations, may register with whichever base station has the best signal strength. As disclosed at column 4, lines 47-63, the number of slots in each frame of the control channel assigned to the various base stations is changed so that a base station that has more mobile stations registered to it would have more slots in each frame assigned to it. This reduces the risk of mobile stations registered to a given base station being unable to communicate with that base station due to contention with other mobile stations.

In Kasugai, the slots assigned to a base station are used for sending signals to the mobile stations (see, e.g., column 3, line 66 – column 4, line 14). As disclosed at column 4, lines 15-46, a mobile station that wants to register itself or obtain a dedicated communication channel to make a call must respond to the base station in the slot following a slot assigned to the base station. In fact, as illustrated in Figure 6, the mobile station begins such a response transmission halfway through the slot following the slot assigned to the base station with which it wants to communicate. There is nothing to prevent more than one mobile station from transmitting at the same time. For this reason, assigning more slots to a base station reduces the risk of collision between transmissions from mobile stations. In addition, in the system disclosed in Kasugai, all of the mobile stations share the use of the same portions of the control channel, as disclosed, for example, at column 2, lines 60-63.

Therefore, Kasugai fails to disclose dedicating a slot in frames of the

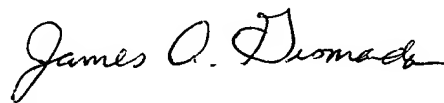
control channel to a particular subscriber station, as recited in independent Claim 15.

Furthermore, Kasugai fails to disclose dedicated a slot in frames of the control channel to a particular subset of subscriber stations that is less than all of the plurality of subscriber stations, as recited in independent Claim 23. For at least these reasons, Applicants submit that each of independent Claims 15 and 23 are allowable over Kasugai. In addition, each of Claims 16, 20-22, and 24-26 depends from either independent Claim 15 or independent Claim 23. Therefore, these dependent claims are also allowable for at least the same reasons as those discussed above.

In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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